

REMARKS

Favorable reconsideration of this application in light of the preceding amendments and following remarks is respectfully requested.

Claims 1-41, 43-44 and 46-67 are pending in this application. Claims 1-41, 47-55 and 57-60 are withdrawn from consideration. Claims 42 and 45 are cancelled. Claims 41, 43, 46, 56 and 57 are amended. Claims 61-67 are newly added. Applicants submit no new matter is added by the claim amendments and/or new claims.

Telephone Interview

Initially, Applicants thank the Examiners for granting the telephone interview conducted on April 9, 2008. During the telephone interview with Applicants' Representative, Aaron Mace, the Examiners indicated that amending claim 56 to include the features of dependent claim 45 would likely distinguish over Miyata et al. (US 2002/0033789, herein Miyata) assuming the clarity rejections to dependent claim 45 are addressed. However, the Examiners indicated a further search would be required upon submission of such an Amendment. As such, Applicants have amended claim 56 to include the features of dependent claim 45.

Claim Rejections under 35 USC § 112

Claim 45 stands rejected under 35 USC § 112 as indefinite in light of the use of the term "fastest." Claim 45 is cancelled. However, the features of claim 45 that are now included in independent claim 56 address the Examiner's concerns included in this rejection.

Claim Rejections under 35 USC § 102

Claims 42, 43, 45 and 56 stand rejected under 35 U.S.C. § 102(b) as anticipated by Miyata. Applicants respectfully traverse this rejection as detailed below.

Initially, Applicants note that claim 56 now includes features of claim 45. In particular, claim 56 is amended to recite, *inter alia*, an “evaluation method that has the steps of repeatedly supplying to the liquid crystal panel, (i) a signal corresponding to an original tone and then, in accordance with tone transition, (ii) the test signal, that is either only the overshoot signal or both the overshoot signal and the undershoot signal, and (iii) a signal corresponding to an attainment tone sequentially in this order while sweeping a level of the test signal, … the optimum one of the display results is a display result of the display results where the attainment tone is substantially displayed faster than a remainder of the display results without exceeding the attainment tone.” In particular, Applicants note that the evaluation method recited in claim 56 is performed while sweeping a level of the test signal.

Applicants submit that in Miyata, the test driving is started by setting an obtained candidate to an initial test value, analyzing a waveform associated with the test value, and then modifying the test value. Accordingly, in Miyata a test value is not swept during a test. Instead, Applicants submit the test value is merely changed between tests.

Therefore, Miyata does not disclose, teach or suggest an evaluation method repeatedly supplying (i)-(iii) while sweeping a level of the test signal.

The Action also states on page 4, lines 4-8, “[a]lternatively, the defined tone data may be decided by visually inspecting the actual response of tones on the liquid crystal panel. In order to attain the correction tones by visual inspection, the user must repeatedly inspect and analyze the original, and attainment tones by varying/sweeping the test signal to obtain the optimal value of the correction.” Applicants do not agree that determining the defined tone data by user

inspection teaches the specifics of repeatedly supplying signal (i)-(iii) specifically recited in claim 56.

However, even if the Examiner maintains this position, Applicants submit even if user inspection could possibly be used to see different tones, user inspection could not be used for identifying that an “optimum one of the display results is a display result of the display results where the attainment tone is substantially displayed faster than a remainder of the display results without exceeding the attainment tone,” as recited in amended claim 56.

Therefore, Applicants submit that Miyata also fails to disclose, teach or suggest this feature of claim 56.

In light of the above, Applicants respectfully request the rejections of claims 42, 43, 45 and 56 under 35 USC § 102 be withdrawn.

35 USC § 103 Rejection

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyata in view of Shimada et al. (US 5,801,673, herein Shimada); and claim 46 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyata in view of Usui et al. (US 5,347,294, herein Usui).

Applicants respectfully submit that both Shimada and Usui fail to cure the deficiencies of Miyata discussed above with respect to amended independent claim 56. As such, Applicants respectfully submit that claims 44 and 46 are allowable for at least the same reasons that claim 56 from which claims 44 and 46 depend are allowable.

Therefore, Applicants respectfully request the rejections of claims 44 and 46 under 35 USC § 103 be withdrawn.

New Claims

New claims 61-67 are added by this amendment. Independent claim 61 recites that “the level of the test signal at each trial of the sweeping is selected and tested in turn from a plurality of predetermined levels and without calculation of an ideal optimum level of the test signal.” As described in a non-limiting example embodiment of the Applicants’ specification providing support for the above-emphasized feature, each test value is generated with relatively simple circuitry, for example, using switches activated in turn, while the test driving is done. Accordingly, various signal C values (e.g., a value nearly equal to a tone voltage which corresponds to an attainment tone B, a value a little larger than the attainment tone B, a value much larger than the attainment tone B, and so on) are tested in turn according to an example embodiment.

Conversely, Applicants submit that in Miyata, the candidate of the tone voltage value to be used in real driving is calculated from the theoretical tone voltage value, or, the calculated value is modified, taking account other factors. Accordingly, Miyata seems to calculate a theoretical tone voltage value and would appear to require circuitry for these calculations.

As such, Applicants submit Miyata fails to disclose, teach or suggest the above-emphasized features of independent claim 61.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

for


Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/SAE/ame